

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

United States of America *ex. rel.* Susan Belgard
Hodnett and Dr. William Overdyke

No. CV02-2206-S

v.

Judge Walter

State of Louisiana, Louisiana State University
Health Sciences Center, Dr. A.J. Albright,
and Dr. Kalia Sadasivan

Magistrate Judge Hornsby

RULE 26(F) CASE MANAGEMENT REPORT

A meeting of counsel, as listed below, was held on March 11, 2010, by telephone.

Plaintiffs, Susan Belgard Hodnett and Dr. William Overdyke are represented by:

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Defendants, State of Louisiana, through the Board of Supervisors of Louisiana
State University Agricultural and Mechanical College; Louisiana State University
Agricultural and Mechanical College Medical School; and Louisiana State University
Health and Science Center in Shreveport, Dr. A.J. Albright and Dr. Kalia Sadasivan are
represented by:

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I. NATURE OF CLAIMS AND DEFENSES

This action originated, in part, as a qui tam action under the False Claims Act (FCA), 31 U.S.C. §3729, et. seq., that was filed under seal. The qui tam claims asserted substantive violations of the FCA have now been settled and dismissed. The United States is no longer a party.

The claims that remain to be litigated are the claims of the private plaintiffs, Susan Belgard Hodnett and Dr. William Overdyke, against the State Entity Defendants and the Individual Defendants for alleged retaliation under 31 U.S.C. §3730(h), and related state law claims. Plaintiffs seek damages and attorney's fees.

The defendants deny liability. The defendants also anticipate the assertion of an Eleventh Amendment immunity defense and other Rule 12 defenses.

2. BENCH OR JURY TRIAL

Plaintiffs have requested a trial by jury.

3. INITIAL DISCLOSURES

The parties agree to make initial disclosures within 45 days of this report.

4. JURISDICTION

The parties do not anticipate any challenges to jurisdiction at this time except to the extent that any Eleventh Amendment immunity defense asserted by defendants relates to the court's subject matter jurisdiction.

5. JOINDER OF PARTIES AND AMENDMENT OF PLEADINGS

The parties may add additional parties or claims or counterclaims to the lawsuit or otherwise amend their pleadings and seek until June 1, 2010 to add parties or file amended pleadings.

6. DISCOVERY ISSUES

A. The parties have agreed to exchange paper documents. Any requests for additional electronically stored data may be made by any party to the other.

B. The parties anticipate a number of pre-trial depositions. Because a number of potential witnesses live out of state, the process of deposing those witnesses and conducting other discovery will require more than the usual amount of time. The parties request at least nine (9) months for completion of discovery.

7. MOTION PRACTICE

A. There are no pending motions at this time.

B. The parties anticipate that dispositive motions will be filed. The parties suggest that the proposed deadline for dispositive motions should be thirty [30] days after the discovery deadline.

8. ALTERNATIVE DISPUTE RESOLUTION

The parties are amenable to non-binding mediation after some discovery in this

case.

9. RELATED CASES:

None.

10. TRIAL BY MAGISTRATE

All parties consent to trial by Magistrate Judge.

Respectfully submitted,

By: s/ Patrick R. Jackson

Patrick R. Jackson

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Dr. Kalia Sadasivan